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[Redacted]

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25 JUN 1976

MEMORANDUM FOR: Director of Central Intelligence

FROM :

[Redacted]
Deputy to the DCI for the Intelligence
Community

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SUBJECT : Modification of the Classification and
Dissemination Controls for the Products
of Reconnaissance Satellites

1. Attached hereto is the draft memorandum from you to the President on modification of the classification and dissemination controls for the products of reconnaissance satellites.

2. This draft was prepared by [Redacted] after considering comments furnished by members of his ad hoc group studying secrecy and compartmentation.

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3. This draft memorandum contains recommendations that authorize you as DCI to make changes as necessary regarding classification and dissemination controls for the products of reconnaissance satellites. One of the controversial aspects of this paper is the conclusion that the fact of satellite reconnaissance be reduced from SECRET to CONFIDENTIAL.

4. It is recommended that you approve the referral of the attached memorandum to the NFIB for consideration.

SIGNED

[Redacted]

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Attachment:

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be downgraded to SECRET.

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APPROVED:

/s/ George Bush

Director of Central Intelligence

28 JUN 1976

Date

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Copy 4 of 8

MEMORANDUM FOR: The President

FROM : George Bush

SUBJECT : Modification of the Classification and
Dissemination Controls for the Products
of Reconnaissance Satellites

1. This memorandum recommends that you authorize the Director of Central Intelligence to declassify the fact of the existence of the US satellite reconnaissance program and to make certain modifications in the existing special security control system that restricts access to its products. Because the current classification and special security control system were established by Presidential directives, any basic changes in them require Presidential approval.

2. The recommended changes constitute an important first step in implementing one of the duties assigned to me by Executive Order 11905. Specifically, Section 3 (d)(1)(viii) states that the Director of Central Intelligence shall "establish a vigorous program 25X

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to downgrade and declassify foreign intelligence information as appropriate and consistent with Executive Order No. 11652."

Background

3. In August 1960 shortly before the US satellite reconnaissance program began producing useful information, President Eisenhower directed "that the products of satellite reconnaissance, and information of the fact of such reconnaissance revealed by the product, shall be given strict security handling under the provisions of a special security control system approved by me." This was at a time when very few people were aware of the program and even the feasibility of using satellites for intelligence collection was considered sensitive. As the program progressed and produced large volumes of information useful for a variety of intelligence purposes, tens of thousands of people were given access to the intelligence within the special security control system. Concurrently, the fact of the existence of the photographic part of the program became public knowledge. It also became increasingly apparent that the special security control system was inhibiting the full use of the information derived from the program.

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4. As a consequence, in 1973, President Nixon authorized certain changes in the classification and access controls regarding the photographic products of the program. Now, much of the photography and almost all of the information derived therefrom is available to US officials at the SECRET level outside the special security control system, although the system is still used to protect the primary film itself and selected sensitive data. This has greatly increased the use of intelligence derived from the photographic reconnaissance program. Furthermore, there is no evidence that the removal of the fact of the program and some of its products from the special security controls has in any way jeopardized the ability of the program to continue to provide intelligence.

5. The Presidential decision of 1973 also required that the fact of the existence of the photographic reconnaissance program be classified at the SECRET level. The effect of this decision in turn mandates that any information derived from and attributed to satellite reconnaissance be classified SECRET or higher. Even though the 1973 decision did increase the usefulness of satellite-derived information, there is considerable pressure from our military commanders to again modify the classification of the product and the program itself.

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6. Much has changed since the 1960 decision to classify all aspects of the photographic reconnaissance program at TOP SECRET and within a special security control system. Now, the existence of the program has become public knowledge both at home and abroad. In these circumstances it has become difficult to justify the continued classification of the fact of the program even at the SECRET level.

7. Continued classification has been argued on the basis of concern that official public acknowledgment would provoke diplomatic protests from some foreign governments about US violations of territorial rights. Some such protests have already been raised with regard to the NASA programs which are officially announced. Thus, it is not so much the knowledge of the existence of photographic satellite reconnaissance or even protests about satellite photography, but more that an official announcement of the now-classified program could provoke new protests or restatements of old ones.

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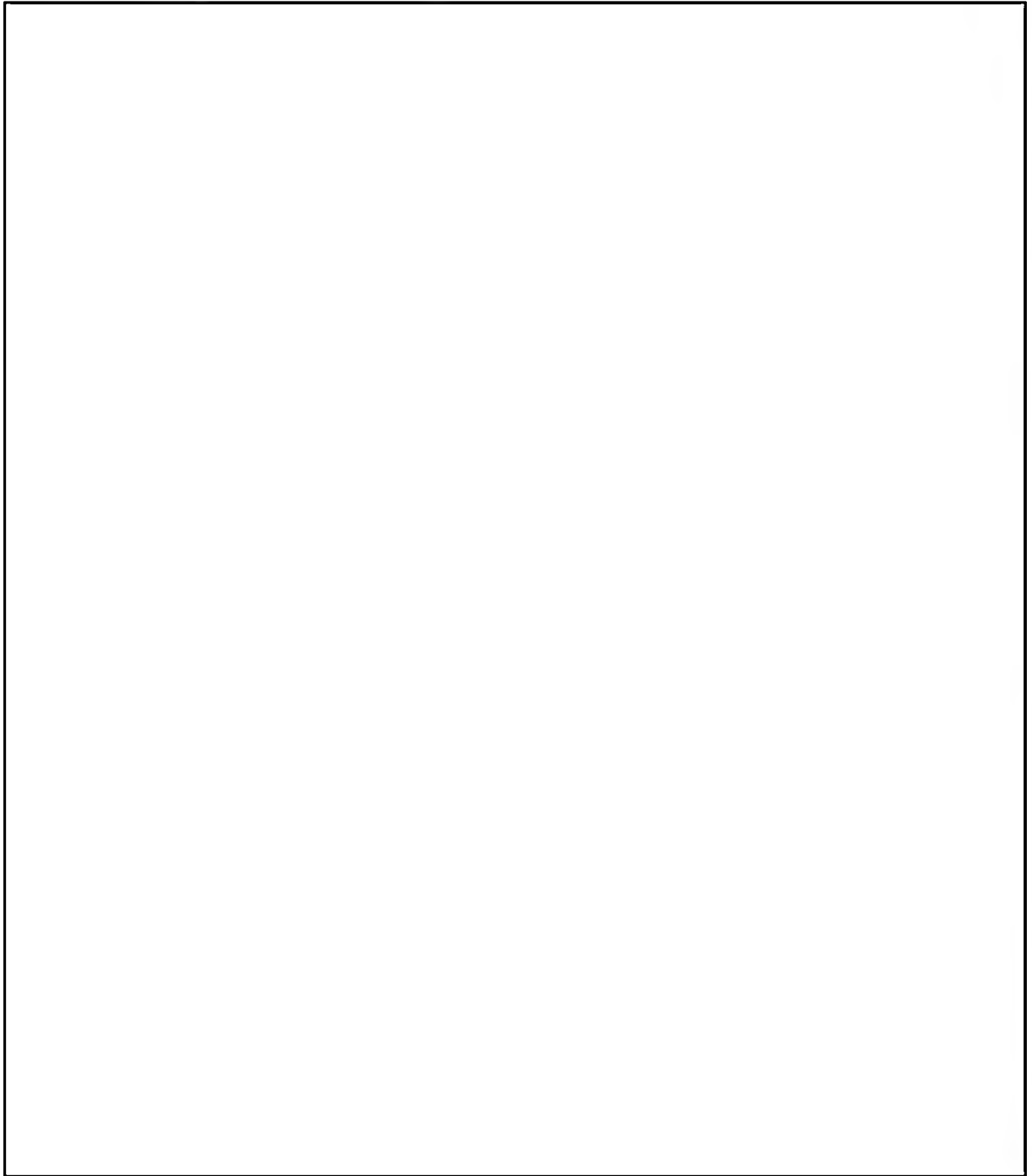


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10. Clearly, the problem is one of balancing the benefits to be derived from greater access to the products of our satellite reconnaissance program against the need for sufficient security protection to ensure that the program continues to provide information vital to US national security. There are serious differences of opinion about where this balance should be struck.

a. Opponents to change argue that (in addition to territorial rights presented in paragraph 7 above) declassification of the fact of the program could cause some foreign countries to refuse to permit satellite ground stations on their territories. They are also concerned that changes in the classification and special security control system could provoke the Soviets to take actions against reconnaissance and other satellites vital to US national security, action ranging from passive concealment and deception to direct attacks against the satellites themselves. These kinds of reactions could seriously damage our ability to verify present and future arms control agreements. There are some who cite such things as the recent Soviet anti-satellite activities, current Soviet-American relations and the

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beginning of the operational phase of our new near-real-time imaging satellites as reasons for this being a particularly unpropitious time for making any changes.

b. Proponents for change base their arguments primarily on the impropriety of the present classification of the fact of the program and on the need for increasing the use of satellite-collected information. As to classification of the fact, they argue that there is a fundamental inconsistency between the SECRET classification of the fact and the classification criteria and the spirit of Executive Order 11652. Furthermore, their view is that the declassification of much of the photography collected by reconnaissance satellites is very useful for economic planning, both at home and abroad, and would not reveal sensitive aspects of the US satellite reconnaissance program.

Proponenets for modifying the special security control system realize that much of the materials collected by satellites should not be declassified, but they argue that such materials as are removed from the special security control system would remain classified in accordance with the criteria of Executive Order 11652. Military and other users of intelligence believe that many of the present

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procedures for removing satellite-collected information from the special security control system for handling it at the SECRET classification are unnecessary and cause delays in the availability of intelligence and limit the usefulness of the product, especially for military planning and at lower levels of command in the field. To the statement that the present system can be made to work, they respond that the special procedures and exceptions to the general rules are too varied and difficult to understand and implement at lower levels of command in a timely and effective manner.

11. I have considered the arguments for and against change. The balance I strike between the need for greater access to the products of satellite reconnaissance and the need for protecting intelligence sources and methods is in favor of somewhat greater access as described below.

Conclusions

12. I conclude that:

a. Because we cannot be sure that official public acknowledgment of the fact that the United States Government conducts satellite reconnaissance [redacted] will

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not lead to public disclosure of other aspects of the program and thus to foreign reactions damaging to the program, the fact should not be completely declassified at this time. It would, however, be appropriate to lower the classification of this fact from SECRET to CONFIDENTIAL in accordance with the criteria presented in Executive Order 11652.

b. There will continue to be a need for the special security control system for those products of photographic satellites and certain sensitive data that reveal truly sensitive aspects of the program. Nevertheless, the objective should be to minimize the use of this control system by confining its use exclusively to those kinds of products and data.

c. No changes should be made in the classification or the system of special security controls presently applicable to the operational aspects of the satellite reconnaissance program.

d. The classification of all other aspects of the program and products attributed to it should be in accordance with the criteria presented in Executive Order 11652 and no lower than CONFIDENTIAL at this time.

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Recommendations

13. In accordance with Section 3 (d)(1)(viii) of Executive Order 11905 and the spirit of Executive Order 11652, I recommend that you authorize the Director of Central Intelligence to:

a. Make any or all changes discussed in paragraph 12 with due regard for his responsibility--as stated in Executive Order 11905, Section 3 (d)(1)(vii)--to "ensure that appropriate programs are developed which properly protect intelligence sources, methods, and analytical procedures."

b. Declassify the fact that the United States Government conducts satellite reconnaissance and makes other modifications in the classification and the special security control system for this program at some future date when he believes it appropriate.

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14. It should be noted that I am not recommending that you approve the changes outlined above; rather, I am recommending that you authorize the Director of Central Intelligence to make such changes along these lines as he may deem appropriate. If you grant this authority, I assure you that those who have objections to change will be given a full hearing and that whatever changes I do make will be consistent with my statutory responsibilities and those provided in Executive Orders.

/draft/

George Bush

The Recommendations in Paragraph 13 are approved: _____

Date: _____

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